

BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

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| IN THE MATTER OF: |) | Case No. 3241 |
| |) | |
| JOHN C. BARR, D.O. |) | FINDINGS OF FACT |
| Holder of License No. 3377 for the |) | CONCLUSIONS OF LAW, |
| practice of osteopathic medicine in the |) | AND ORDER OF REVOCATION |
| State of Arizona. |) | |
| _____ |) | |

On October 2, 2003, the Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") issued a Complaint and Notice of Hearing to John C. Barr, D.O. (hereinafter "Respondent"), to appear for an administrative hearing before the Board at 8:00 a.m., December 13, 2003, 9535 E. Doubletree Ranch Rd., Scottsdale AZ 85258. Respondent did not file an Answer to the Complaint and Notice of Hearing.

On December 13, 2003, the Board conducted the administrative hearing. Mr. Blair Driggs, Assistant Attorney General, appeared for the State. Respondent did not appear, nor was he represented by counsel.

After hearing testimony and considering the documentary evidence presented, the Board voted to accept the following Findings of Fact and Conclusions of Law, and to enter the following Order:

JURISDICTIONAL STATEMENTS

1. The Board is empowered, pursuant to A.R.S. § 32-1800, *et seq.* to regulate the licensing and practice of osteopathic medicine in the State of Arizona.
2. Respondent is a licensee of the Board and the holder of License No. 3377 for the practice of osteopathic medicine in the State of Arizona.

FINDINGS OF FACT

3. On or about June 6, 2003, the Texas State Board of Medical Examiners (hereafter "Texas") revoked Respondent's license to practice in that State based, in part, on the factual finding that: "(14) Respondent has been convicted of felony assault with a deadly weapon et seq."

4. On or about August 28, 2003, the Board mailed notice of a complaint on this matter to Respondent at his address of record, filed pursuant to ARS § 32-1803(A)(9)(b). The notice was returned as "forwarding time expired" on or about September 4, 2003.

CONCLUSIONS OF LAW

5. The conduct described in paragraph 3 constitutes unprofessional conduct as defined at A.R.S. § 32-1854 (2) "Committing a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude. In either case conviction by any court of competent jurisdiction is conclusive evidence of the commission."

6. The conduct described in paragraph 3 constitutes unprofessional conduct as defined at A.R.S. § 32-1854 (18) "The refusal, revocation or suspension of a license by any other state, territory, district or country, unless it can be shown that this occurred for reasons that did not relate to the person's ability to safely and skillfully practice osteopathic medicine or to any act of unprofessional conduct as provided in this section."

7. The conduct described in paragraph 4 constitutes unprofessional conduct as defined at A.R.S. § 32-1854 (52): "Failure to inform the Board in writing within ten days after any change of the licensee's address of record."

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

License number 3377, issued to John C. Barr, D.O. ("Respondent") is **REVOKED**.

Effective this 23rd day of December, 2003

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Elaine LeTarte
Elaine LeTarte, Executive Director

9535 E. Doubletree Ranch Rd.

Scottsdale AZ 85258-5539

(602) 657-7703

Notice of Request For Rehearing:

You have the right to request a rehearing or review of this matter pursuant to A.R.S. § 41-1092.90. The request for rehearing or review must be filed with the Arizona Board of Osteopathic Examiners in Medicine and Surgery within thirty (30) days. If you request a rehearing, you must specify in detail and with particularity at least one of the seven grounds that apply to your request for rehearing or review, as mandated by A.A.C. R4-22-106(C). A request for rehearing or review shall be a pre-requisite to exhaust your administrative remedies pursuant to A.R.S. § 41-1092.09.

Copy mailed by U.S. certified mail
(return receipt requested) this 23rd day of December 2003 to:

John C Barr, D.O.
6091 Tara Lane
Collinsville, IL 62234

Copy mailed this 23rd day of December 2003 to:

Blair Driggs, Asst Attorney General
CIV/LES
1275 W. Washington
Phoenix AZ 85007

Celina Shepherd